

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Graj et al.
Original Patent Number : 5,802,960
Issued : September 8, 1998
Title : ERGONOMIC COOKWARE

REISSUE APPLICATION DECLARATION BY THE INVENTORS

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

As a below named inventor, I hereby declare that:

1. My residence, post office address and citizenship are stated below next to my name. I believe I am an original, first and joint inventor of the subject matter which is described and claimed in patent number 5,802,960, granted September 8, 1998, and for which a reissue patent is sought on the invention entitled ERGONOMIC COOKWARE the specification of which is attached hereto.

2. I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

3. I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

4. I verily believe the original patent to be wholly or partly inoperative by reason of the patentee claiming less than patentee had the right to claim in the patent.

5. At least one error upon which reissue is based is described as follows:

Claim 15 of U.S. Patent No. 5,802,960 ("the '960 Patent") unduly limits the patentee's invention to an "ergonomic cooking utensil." The specification of the '960 Patent clearly indicates that a plurality of ergonomic hand supported implements were contemplated at the time of filing the application which issued as the '960 Patent. For example, the specification recites "it is envisioned that the improved ergonomic handle can be used with buckets, watering cans, casserole dishes . . . It is also envisioned that the handle can be used with hand and garden tools such as shovels, spades, backhoes, rakes and other tools which result in multidimensional forces on the forearm and wrist." (The '960 Patent, Col. 4, lines 31-38). Thus it was an error to limit the claims of the '960 Patent to an ergonomic cooking utensil when clearly a variety of ergonomic hand supported implements were contemplated by the patentee.

6. All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant.

7. As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

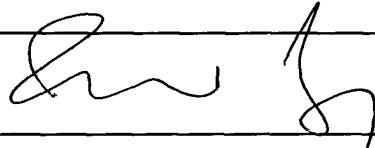
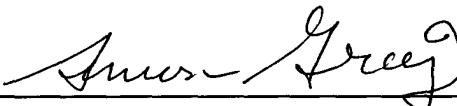
Joel E. Lutzker Reg. No. 29,406
Donna L. Angotti Reg. No. 32,679
John S. Economou Reg. No. 38,439
Michael P. Kenny Reg. No. 42,718

8. Direct all communications about the application to:

Joel E. Lutzker
Amster Rothstein & Ebenstein
90 Park Avenue
New York, New York 10016
Tel. (212) 697-5995
Fax (212) 286-0854

9. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful

false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Full name of sole first inventor (given name, family name)			
Raymond Graj			
Inventor's signature			
Residence	174 West 76 th Street - 4B, New York, NY 10023	Date	3/9/00
Post Office Address		Citizenship	United States
Full name of sole first inventor (given name, family name)			
Simon Graj			
Inventor's signature			
Residence	49 Choate Lane, Pleasantville, NY 10570	Date	3/9/00
Post Office Address		Citizenship	Poland
Full name of sole first inventor (given name, family name)			
Eric Gustavsen			
Inventor's signature			
Residence	425 West 23 rd Street, New York, NY 10011	Date	3/9/00
Post Office Address		Citizenship	United States

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STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: **Graj & Gustavsen**Application No./Patent No.: **5,802,960** Filed/Issue Date: **September 8, 1998**Entitled: **ERGONOMIC COOKWARE****Graj & Gustavsen**, a **Corporation**

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

- the assignee of the entire right, title, and interest; or
- an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

A. An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel **8854**, Frame **0412**, or for which a copy thereof is attached.

OR

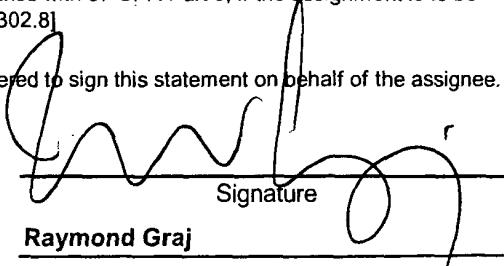
B. A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

 Additional documents in the chain of title are listed on a supplemental sheet. Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document)
must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be
recorded in the records of the PTO. See MPEP 302-302.8]

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

3/9/00
Date

Raymond Graj
 Typed or printed name
Chief Operating Officer

Title

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Graj et al.
Original Patent Number : 5,802,960
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ASSENT BY ASSIGNEE FOR FILING OF REISSUE APPLICATION

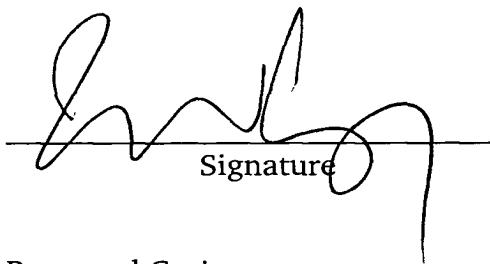
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This is part of the application for reissue patent filed herewith based on the above identified original patent. Graj & Gustavsen, as assignee owning an undivided interest in the above identified original patent, assents to the accompanying application for reissue. Attached is a Statement under 37 C.F.R. § 3.73(b) establishing the right of Graj & Gustavsen, as assignee, to take action in this reissue.

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

3/9/00
Date


Signature

Raymond Graj
Typed or printed name

Chief Operating Officer
Title

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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OFFER TO SURRENDER

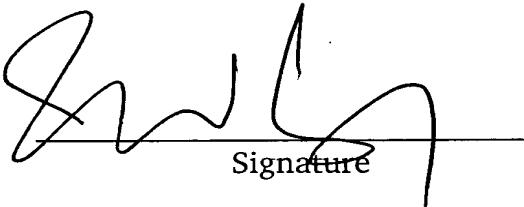
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The undersigned makes this statement as part of the accompanying reissue application for the reissue of the above identified letters patent. Graj & Gustavsen, as owner by assignment of the entire interest in said original patent, hereby offers to surrender said letters patent. Attached is a Statement under 37 C.F.R. § 3.73(b) establishing the right of Graj & Gustavsen, as assignee, to take action in this reissue.

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

3/9/00
Date



Signature

Raymond Graj
Typed or printed name

Chief Operating Officer
Title